

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY BARTUNEK,

Defendant.

8:17CR28

ORDER

Defendant has filed a motion requesting that trial of this matter be continued, but that the Speedy Trial clock not be stopped as a result of this continuance. ([Filing No. 265](#)).¹ The government does not object to a continuance, but asserts that the Speedy Trial clock should be tolled.

For good cause shown, the Court will continue the trial. However, the Speedy Trial clock will be tolled during the continuance.

IT IS ORDERED as follows:

1. The trial now set for January 22, 2018 is continued to March 12, 2018.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and Defendant in a speedy trial. Any additional time arising as a result of the granting of this continuance, that is, the time between **today's date and March 12, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny Defendant, who is acting as his own counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

¹ Defendant's motion ([Filing No. 265](#)) also seeks dismissal of this action. The portion of Defendant's motion seeking dismissal will be addressed at a later time by separate order.

3. The Clerk of Court is directed to mail a copy of this Order to Defendant at his address of record.

Dated this 15th day of December, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge